

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DAVID WHITE,

No. 3:25-cv-00501-AB

Plaintiff,

ORDER

v.

CHARLES BAILEY, *Judge in his Personal
Capacity,*

Defendant.

BAGGIO, District Judge:

On May 8, 2025, this Court issued an Opinion and Order (ECF 19) denying Plaintiff’s Motion to Recuse (ECF 16). On May 12, 2025, Plaintiff filed “Objections to Magistrate Judge’s Order” (ECF 21) in which Plaintiff objected to my decision (ECF 19) on Plaintiff’s Motion to Recuse (ECF 16). As I am an Article III Judge and not a Magistrate Judge, I will construe Plaintiff’s Objections as a motion for reconsideration. For the reasons discussed below, Plaintiff’s Motion for Reconsideration is denied.

I. DISCUSSION

“Reconsideration is an ‘extraordinary remedy, to be used sparingly in the interests of finality and conservation of judicial resources.’ ” *Adidas Am., Inc. v. Payless Shoesource, Inc.*, 540 F. Supp. 2d 1176, 1179 (D. Or. 2008) (quoting *Kona Enterprises, Inc. v. Estate of Bishop*, 229 F.3d 877, 890 (9th Cir. 2000)). Further, “a motion for reconsideration should not be granted, absent

highly unusual circumstances[.]” 389 *Orange St. Partners v. Arnold*, 179 F.3d 656, 665 (9th Cir. 1999). A motion for reconsideration is “appropriate if the district court (1) is presented with newly discovered evidence, (2) committed clear error or the initial decision was manifestly unjust, or (3) if there is an intervening change in controlling law.” *Sch. Dist. No. 1J v. AC & S, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993).


The Court has reviewed Plaintiff’s motion for reconsideration. Plaintiff raises the same arguments he made in his motion to recuse. In addition, after reviewing Plaintiff’s motion for reconsideration, the Court is not persuaded there is clear error in its decision. Lastly, to the extent that Plaintiff makes new arguments, those arguments could have been asserted in his motion to recuse. For these reasons, Plaintiff’s motion for reconsideration is denied.

II. CONCLUSION

Plaintiff’s Objections to Magistrate Judge’s Order, construed as a Motion for Reconsideration (ECF 21) is DENIED.

IT IS SO ORDERED.

DATED this 28th day of May 2025.



AMY M. BAGGIO
United States District Judge